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May 25, 2023

**By ECF**

Hon. Ann M. Donnelly  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

**Re: *Gilead Sciences, Inc., et al. v. Safe Chain Solutions, LLC, et al., No. 21cv4106***

Dear Judge Donnelly:

We write on behalf of Safe Chain Solutions, LLC (“Safe Chain”), Charles Boyd, and Patrick Boyd (collectively, the “Safe Chain Parties”), and Gilead Sciences, Inc., Gilead Sciences Ireland UC, and Gilead Sciences, LLC (collectively, “Gilead,” and together with the Safe Chain Parties, the “Parties”) in response to Your Honor’s April 25, 2023, Order directing the Parties to engage in settlement discussions. The Safe Chain Parties made a written settlement offer to Gilead on May 12 pursuant to Your Honor’s Order. That offer was lower than the Safe Chain Parties’ prior offer, and Gilead rejected the offer orally and declined to make a counter.

The gulf in the Parties’ positions stems from their fundamental disagreement about the scope of liability in this case and is likely to persist until summary judgment rulings.

The Parties propose the following briefing schedule for Gilead’s forthcoming motion to dismiss the Safe Chain Parties’ counterclaims:

Gilead’s Motion due: July 14, 2023

Safe Chain Parties’ Opposition due: September 1, 2023

Gilead’s Reply due: September 22, 2023

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Respectfully submitted,

/s/August J. Matteis, Jr.

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